

October 11, 2007

DECISION AND ORDER
OF THE DEPARTMENT OF ENERGY

Supplemental Order

Name of Petitioner: Crude Oil Supplemental Refund Distribution

Date of Filing: October 11, 2007

Case Number: RB272-10143

This decision grants supplemental crude oil refunds. The names of the recipients and the amount of the refunds are listed in the Appendix to this decision.

This supplemental refund decision concerns the crude oil overcharge refund proceeding. Pursuant to the long-standing policy of the Department of Energy (DOE), thousands of purchasers of petroleum products have applied for, and been granted, refunds from crude oil overcharge funds under the jurisdiction of the DOE's Office of Hearings and Appeals (OHA). See Modified Statement of Restitutionary Policy In Crude Oil Cases, 51 Fed. Reg. 27899 (August 4, 1986). The standards for considering Applications for Refund from these crude oil funds are set forth at 10 C.F.R. Part 205, Subpart V. The deadline for applications in the crude oil proceeding was June 30, 1995.

The OHA has approved more than 87,000 crude oil overcharge refund applications. A claimant is generally eligible for a refund equal to the number of gallons of eligible refined petroleum products it purchased during the period August 19, 1973 through January 27, 1981, multiplied by a per gallon refund amount. That per gallon refund amount, also referred to as the volumetric, is derived by dividing the total refund monies available by the total U.S. consumption of petroleum products during the crude oil price control period. Originally, the DOE calculated refunds at a \$0.0002 per gallon volumetric. In 1989, the DOE increased the volumetric to \$0.0008 per gallon, and applicants paid at the lower \$0.0002 per gallon rate were eligible for a \$0.0006 per gallon supplemental payment. See Crude Oil Supplemental Refund Distribution, 18 DOE ¶ 85,878 (1989). In 1995, the DOE increased the volumetric to \$0.0016 per gallon, and applicants paid at the lower \$0.0008 per gallon rate were eligible for a \$0.0008 per gallon supplemental payment.

On January 13, 2006, the DOE announced that applicants paid at the lower \$0.0016 per gallon rate were eligible for an additional \$0.000695389 per gallon supplemental refund. 71 Fed. Reg. 2195 (January 13, 2006). In order to receive this supplemental refund check, applicants were required to verify that their name and address in our records was correct, to correct any information that was not accurate, and to verify whether the refund could not be paid to the original applicant for any reason, e.g., due to death, divorce, bankruptcy or dissolution of a business.

On August 20, 2007, the DOE announced that a final additional \$0.000083748502302897 per gallon refund would be paid to all applicants who had been found eligible for the \$0.000695389 per gallon supplemental refund announced on January 13, 2006. 72 Fed. Reg. 46461 (August 20, 2007). We have previously ordered the payment of the \$0.000695389 per gallon supplemental refund to the applicants listed in the Appendix to this decision. Therefore, this decision approves final supplemental refunds of \$0.000083748502302897 per gallon to these applicants. Refunds are rounded to the nearest dollar. For each applicant, the Appendix contains the name, case number, and the amount of the supplemental refund. The decision approves supplemental refunds for 51 applicants, totaling \$67,012.00.

It Is Therefore Ordered That:

(1) The Director of Special Accounts and Payroll, Office of Departmental Accounting and Financial Systems Development, Office of the Controller of the Department of Energy shall take appropriate action to disburse supplemental refunds to LK, Inc., on behalf of the Applicants listed in the Appendix to this Order, in the amount of \$67,012.00, via ACH payment, as set forth in a memorandum accompanying this Decision and Order.

(2) The funds shall be disbursed from the escrow fund denominated Crude Tracking-Claimants 4, Account No. 999DOE010Z, maintained at the Department of the Treasury.

(3) Applicants shall notify the Office of Hearings and Appeals in the event that there is a change of address, or if an address correction is necessary. Such notification shall be sent to:

Director of Management Information
Office of Hearings and Appeals
Department of Energy
1000 Independence Avenue, S.W.
Washington, D.C. 20585-0107

(4) Any conditions imposed that applied to an applicant's receipt of the initial crude oil refund shall also apply to that applicant's receipt of this supplemental refund.

(5) The determinations made in this Decision and Order are based upon the presumed validity of the statements and documentary material submitted by the applicants. This

Decision and Order may be revoked or modified at any time upon a determination that the basis underlying a refund application is incorrect.

(6) This is a final Order of the Department of Energy.

Poli A. Marmolejos
Acting Director
Office of Hearings and Appeals

Date: October 11, 2007

Appendix - Supplemental Refund Case No. RB272-10143

Case No.	Firm	Volume	Refund
RF272-19369	Canadian Airlines Int'l Inc.	41,448,194	\$3,471.00
RF272-21126	TANKSLEY TRANSFER CO.	1,377,040	\$115.00
RF272-21128	C & E TRUCKING CO.	3,873,312	\$324.00
RF272-32244	POWER LEASING, INC.	2,775,471	\$232.00
RF272-75046	SALT CREEK FREIGHTWAYS, INC.	13,413,079	\$1,123.00
RF272-75659	CARAVAN REFRIGERATED CARGO	54,170,028	\$4,537.00
RF272-75661	SHARPE MOTOR LINES, INC.	5,457,728	\$457.00
RF272-75663	ARROW TRUCK LINES, INC.	9,122,360	\$764.00
RF272-75674	ORSCHELN BROS. TRUCK LINES INC	13,538,956	\$1,134.00
RF272-75709	JOHNSON MOTOR LINES, INC.	86,611,116	\$7,254.00
RF272-75711	WYCOFF TRUCKING CO.	16,638,732	\$1,393.00
RF272-75713	RUPP FREIGHT SYSTEMS, INC.	2,126,572	\$178.00
RF272-75714	MELLOW TRUCK EXPRESS, INC.	1,908,848	\$160.00
RF272-75715	NIELSON FREIGHT LINES, INC.	2,943,620	\$247.00
RF272-75720	HEMINGWAY TRANSPORT, INC.	44,734,544	\$3,746.00
RF272-75721	RUSSELL TRANSFER, INC.	11,105,832	\$930.00
RF272-75732	ARTIM TRANSPORTATION SYSTEM	37,955,420	\$3,179.00
RF272-75744	COURIER-NEWSOM EXPRESS, INC.	21,752,472	\$1,822.00
RF272-75767	NORTH & SOUTH LINES, INC.	5,548,464	\$465.00
RF272-75768	AURORA FAST FREIGHT, INC.	2,600,180	\$218.00
RF272-75784	BRITTON MOTOR SERVICE, INC.	7,780,400	\$652.00
RF272-75817	HILL & HILL TRUCK LINE, INC.	17,812,452	\$1,492.00
RF272-77308	ASSOCIATED TRANSPORT, INC.	56,108,556	\$4,699.00
RF272-77310	ONEIDA COUNTY, NEW YORK	4,822,403	\$404.00
RF272-77313	RINGLE EXPRESS, INC.	32,438,968	\$2,717.00
RF272-77606	HEYMAN TRUCK, INC.	2,565,200	\$215.00
RF272-77715	ILLINI EXPRESS, INC.	5,438,648	\$455.00
RF272-77716	CLARK TANKLINES CO.	12,145,692	\$1,017.00
RF272-77718	ALLIS-CHALMERS CORP.	48,287,804	\$4,044.00
RF272-86921	BLUE BIRD CAB CO., INC.	1,774,848	\$149.00
RF272-88259	ERIE AIRWAYS, INC.	10,961,247	\$918.00
RF272-90211	M & M TRANSPORTATION CO.	13,345,050	\$1,118.00
RF272-90436	OLD COLONY TRANSPORTATION	7,001,724	\$586.00
RF272-90797	T.E. MERCER TRUCKING, INC.	9,295,375	\$778.00
RF272-90914	STRECKFUS STEAMERS, INC.	4,912,922	\$411.00
RF272-91659	CRUSADER CANDLE CO.	1,968,060	\$165.00
RF272-91660	MARYLAND TRANSPORTATION CO.	7,126,279	\$597.00
RF272-91661	HOUDIALLE DUVAL WRIGHT	19,534,492	\$1,636.00
RF272-91662	BULK FOOD CARRIERS, INC.	10,180,690	\$853.00
RF272-91663	NORFOLK, BALTIMORE & CAROLINA	7,004,033	\$587.00
RF272-91918	SIEMENS ALLIS, INC.	6,025,232	\$505.00
RF272-92150	ATLANTIC STEEL CO.	3,146,486	\$264.00
RF272-92289	W.C. & D.L. CULLIPHER	7,131,528	\$597.00
RF272-92290	BORDER ROAD CONSTRUCTION CO.	5,877,617	\$492.00
RF272-92291	PIPER AIRCRAFT CORP.	3,053,240	\$256.00
RF272-92583	HAYWARD RESEARCH, INC.	6,519,004	\$546.00
RF272-93731	INDIANA BELL TELEPHONE CO.	35,044,730	\$2,935.00
RF272-93788	TRW, INC.	6,317,274	\$529.00
RF272-93964	ATLANTIC STEEL CO.	22,878,664	\$1,916.00
RF272-93965	WASHINGTON GAS LIGHT CO.	11,402,516	\$955.00
RR272-00317	AUGUSTA MENTAL INSTITUTE	33,134,081	\$2,775.00
Totals	51 Applicants	800,137,183	\$67,012.00